MONTANA LEGISLATIVE HISTORY

Chapter 252 19 99

Bill H 541 S _____ Original bill & history ✓ C

H. Committee on Business & Labor			S. Committee on Business & Industry		
Hearing Date(s)	Feb 18	✓ C	Hearing Date(s)	Mar 20	✓ C
	Feb 19	✓ C		Mar 25	✓ C
		C			C
		C			C
Date Out		C			

Did this bill originate in an interim committee? ____Yes ____No

Committee _____ Report _____

1997 LEGISLATIVE HISTORY

The 1997 Montana Legislature has dramatically changed the nature of the legislative minutes. Specifically, the minutes from House committees are extremely sparse in content, offering no substantive information from which to glean legislative intent. The Senate committees' minutes are somewhat fuller in content. Exhibits available from the State Law Library (which may include written statements, attendant information, roll call votes, roll call attendance, a list of public members present, specific action taken on legislative bills, etc.) are included with this request. For information on other exhibits, contact the Montana Historical Society Archives at 444-4774. Exhibits may also be purchased on a CD-ROM from the Montana Legislative Council (444-3064).

Just as in the 1995 legislative session, the House and Senate hearings were recorded. The Historical Society is the depository for the tapes. For information on accessing the tapes, call the archives at 444-4774.

If you have concerns over the format of the 1997 legislative minutes, it is suggested that you contact your state legislators.

INTRODUCED BY [signature] House BILL NO. 541

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAW PROHIBITING CREDIT GAMBLING; REQUIRING SUSPENSION OF THE LICENSE OR PERMIT FOR THE GAMBLING ACTIVITY, DEVICE, OR ENTERPRISE INVOLVED IF CREDIT GAMBLING OCCURS ON LICENSED PREMISES AND REQUIRING REVOCATION OF THE LICENSE OR PERMIT IF NOT OTHERWISE PROVIDED FOR; INCLUDING OFFERS TO OBTAIN AND COMMON SCHEMES IN THE OFFENSE OF OBTAINING ANYTHING OF VALUE BY FRAUD OR OPERATION OF AN ILLEGAL GAMBLING ACTIVITY, DEVICE, OR ENTERPRISE; AND AMENDING SECTIONS 23-5-112, 23-5-156, AND 23-5-157, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 23-5-112, MCA, is amended to read:

"**23-5-112. Definitions.** Unless the context requires otherwise, the following definitions apply to parts 1 through 8 of this chapter:

(1) "Applicant" means a person who has applied for a license or permit issued by the department pursuant to parts 1 through 8 of this chapter.

(2) "Application" means a written request for a license or permit issued by the department. The department shall adopt rules describing the forms and information required for issuance of a license.

(3) "Authorized equipment" means, with respect to live keno or bingo, equipment that may be inspected by the department and that randomly selects the numbers.

(4) "Bingo" means a gambling activity played for prizes with a card bearing a printed design of 5 columns of 5 squares each, 25 squares in all. The letters B-I-N-G-O must appear above the design, with each letter above one of the columns. More than 75 numbers may not be used. One number must appear in each square, except for the center square, which may be considered a free play. Numbers are randomly drawn using authorized equipment until the game is won by the person or persons who first cover one or more previously designated arrangements of numbers on the bingo card.

(5) "Bingo caller" means a person 18 years of age or older who, using authorized equipment, announces the order of the numbers drawn in live bingo.

(6) "Card game table" or "table" means a live card game table:

(a) authorized by permit and made available to the public on the premises of a licensed gambling operator; or

(b) operated by a senior citizen center.

(7) "Card game tournament" means a gambling activity for which a permit has been issued involving participants who pay valuable consideration for the opportunity to compete against each other in a series of live card games conducted over a designated period of time.

(8) "Dealer" means a person with a dealer's license issued under part 3 of this chapter.

(9) "Department" means the department of justice.

(10) "Distributor" means a person who:

(a) purchases or obtains from a licensed manufacturer, distributor, or route operator equipment of any kind for use in gambling activities; and

(b) sells the equipment to a licensed distributor, route operator, or operator.

(11) "Gambling" or "gambling activity" means risking money, credit, deposit, check, property, or any other thing of value for a gain that is contingent in whole or in part upon lot, chance, or the operation of a gambling device or gambling enterprise. The term does not mean conducting or participating in a promotional game of chance and does not include amusement games regulated by Title 23, chapter 6, part 1.

(12) "Gambling device" means a mechanical, electromechanical, or electronic device, machine, slot machine, instrument, apparatus, contrivance, scheme, or system used or intended for use in any gambling activity.

(13) "Gambling enterprise" means an activity, scheme, or agreement or an attempted activity, scheme, or agreement to provide gambling or a gambling device to the public.

(14) "Gift enterprise" means a gambling activity in which persons have qualified to obtain property to be awarded by purchasing or agreeing to purchase goods or services. The term does not mean:

(a) a cash or merchandise attendance prize or premium that county fair commissioners of agricultural fairs and rodeo associations may give away at public drawings at fairs and rodeos;

(b) a promotional game of chance; or

(c) an amusement game regulated under chapter 6 of this title.

(15) "Gross proceeds" means gross revenue received less prizes paid out.

(16) "Illegal gambling device" means a gambling device not specifically authorized by statute or by the rules of the department. The term includes:

(a) a ticket or card, by whatever name known, containing concealed numbers or symbols that may match numbers or symbols designated in advance as prize winners, including a pull tab, punchboard, push card, tip board, pickle ticket, break-open, or jar game, except for one used under chapter 7 or under part 5 of this chapter or in a promotional game of chance approved by the department; and

(b) an apparatus, implement, or device, by whatever name known, specifically designed to be used in conducting an illegal gambling enterprise, including a faro box, faro layout, roulette wheel, roulette table, or craps table or a slot machine except as provided in 23-5-153.

(17) "Illegal gambling enterprise" means a gambling enterprise that violates or is not specifically authorized by a statute or a rule of the department. The term includes:

(a) a card game, by whatever name known, involving any bank or fund from which a participant may win money or other consideration and that receives money or other consideration lost by the participant and includes the card games of blackjack, twenty-one, jacks or better, baccarat, or chemin de fer;

(b) a dice game, by whatever name known, in which a participant wagers on the outcome of the roll of one or more dice, including craps, hazard, or chuck-a-luck, but not including activities authorized by 23-5-160; ~~and~~

(c) sports betting, by whatever name known, in which a person places a wager on the outcome of an athletic event, including bookmaking, parlay bets, or sultan sports cards, but not including those activities authorized in chapter 4 of this title and parts 2, 5, and 8 of this chapter; and

(d) credit gambling.

(18) "Keno" means a game of chance in which prizes are awarded using a card with 8 horizontal rows and 10 columns on which a player may pick up to 10 numbers. A keno caller, using authorized equipment, shall select at random at least 20 numbers out of numbers between 1 and 80, inclusive.

(19) "Keno caller" means a person 18 years of age or older who, using authorized equipment, announces the order of the numbers drawn in live keno.

(20) "License" means a license for an operator, dealer, card room contractor, manufacturer of devices not legal in Montana, sports tab card manufacturer, manufacturer of electronic live bingo or keno equipment, other manufacturer, distributor, or route operator that is issued to a person by the department.

(21) "Licensee" means a person who has received a license from the department.

(22) "Live card game" or "card game" means a card game that is played in public between persons on the premises of a licensed gambling operator or in a senior citizen center.

(23) "Lottery" means a scheme, by whatever name known, for the disposal or distribution of property among persons who have paid or promised to pay valuable consideration for the chance of obtaining the property or a portion of it or for a share or interest in the property upon an agreement, understanding, or expectation that it is to be distributed or disposed of by lot or chance. The term does not mean lotteries authorized under chapter 7 of this title.

(24) "Manufacturer" means a person who assembles from raw materials or subparts a completed piece of equipment or pieces of equipment of any kind to be used as a gambling device and who sells the equipment directly to a licensed distributor, route operator, or operator.

(25) "Nonprofit organization" means a nonprofit corporation or nonprofit charitable, religious, scholastic, educational, veterans', fraternal, beneficial, civic, senior citizens', or service organization established for purposes other than to conduct a gambling activity.

(26) "Operator" means a person who purchases, receives, or acquires, by lease or otherwise, and operates or controls for use in public, a gambling device or gambling enterprise authorized under parts 1 through 8 of this chapter.

(27) "Permit" means approval from the department to make available for public play a gambling device or gambling enterprise approved by the department pursuant to parts 1 through 8 of this chapter.

(28) "Person" or "persons" means both natural and artificial persons and all partnerships, corporations, associations, clubs, fraternal orders, and societies, including religious and charitable organizations.

(29) "Premises" means the physical building or property within or upon which a licensed gambling activity occurs, as stated on an operator's license application and approved by the department.

(30) "Promotional game of chance" means a scheme, by whatever name known, for the disposal or distribution of property among persons who have not paid or are not expected to pay any valuable consideration or who have not purchased or are not expected to purchase any goods or services for a chance to obtain the property, a portion of it, or a share in it. The property is disposed of or distributed by simulating a gambling enterprise authorized by parts 1 through 8 of this chapter or by operating a device or enterprise approved by the department that was manufactured or intended for use for purposes other

than gambling.

(31) "Public gambling" means gambling conducted in:

(a) a place, building, or conveyance to which the public has access or may be permitted to have access;

(b) a place of public resort, including but not limited to a facility owned, managed, or operated by a partnership, corporation, association, club, fraternal order, or society, including a religious or charitable organization; or

(c) a place, building, or conveyance to which the public does not have access if players are publicly solicited or the gambling activity is conducted in a predominantly commercial manner.

(32) "Raffle" means a form of lottery in which each participant pays valuable consideration for a ticket to become eligible to win a prize. Winners must be determined by a random selection process approved by department rule.

(33) "Route operator" means a person who:

(a) purchases from a licensed manufacturer, route operator, or distributor equipment of any kind for use in a gambling activity;

(b) leases the equipment to a licensed operator for use by the public; and

(c) may sell to a licensed operator equipment that had previously been authorized to be operated on a premises.

(34) "Senior citizen center" means a facility operated by a nonprofit or governmental organization that provides services to senior citizens in the form of daytime or evening educational or recreational activities and does not provide living accommodations to senior citizens. Services qualifying under this definition must be recognized in the state plan on aging adopted by the department of public health and human services.

(35) "Slot machine" means a mechanical, electrical, electronic, or other gambling device, contrivance, or machine that, upon insertion of a coin, currency, token, credit card, or similar object or upon payment of any valuable consideration, is available to play or operate, the play or operation of which, whether by reason of the skill of the operator or application of the element of chance, or both, may deliver or entitle the person playing or operating the gambling device to receive cash, premiums, merchandise, tokens, or anything of value, whether the payoff is made automatically from the machine or in any other manner. This definition does not apply to video gambling machines authorized under part 6 of this chapter.

(36) "Video gambling machine" is a gambling device specifically authorized by part 6 of this chapter and the rules of the department."

Section 2. Section 23-5-156, MCA, is amended to read:

"**23-5-156. ~~Obtaining~~ Offering or obtaining anything of value by fraud or operation of illegal gambling device or enterprise.** (1) A person who in an activity involving gambling offers or obtains money, property, or anything of value that does not exceed $300 in value by misrepresentation, fraud, or the use of an illegal gambling device or an illegal gambling enterprise is guilty of a misdemeanor and is punishable as provided in 23-5-161.

(2) A person who in an activity involving gambling offers or obtains, including offering or obtaining as part of a common scheme, as defined in 45-2-101, money, property, or anything of value that exceeds $300 in value by misrepresentation, fraud, or the use of an illegal gambling device or an illegal gambling enterprise is guilty of a felony and is punishable as provided in 23-5-162."

Section 3. Section 23-5-157, MCA, is amended to read:

"**23-5-157. Gambling on cash basis -- penalties.** (1) (a) In every gambling activity, except raffles as authorized in 23-5-413 and card games authorized in part 3 of this chapter and normally scored using points, the consideration paid for the chance to play must be made in cash. A check or credit card may be used to obtain cash to participate in a gambling activity. A participant shall present the cash needed to play the game as the game is being played. A check, or credit card~~, note, IOU, or other evidence of indebtedness may not be offered or accepted as part of the price of participation in the gambling activity or as payment of a debt incurred in the gambling activity~~ used to obtain cash on the premises of a licensee must be delivered and accepted unconditionally. A licensee or employee of a licensee may not hold a check or other evidence of indebtedness for redemption pending the outcome of a gambling activity.

(b) Credit gambling is prohibited. Credit gambling is offering or accepting as part of the price of participation in a gambling activity or as payment of a debt incurred in a gambling activity:

(i) a check, credit card, note, IOU, or other evidence of indebtedness;

(ii) a loan of any kind at any time from or on behalf of a licensee or gambling activity participant; or

(iii) any form of deferred payment, including a post-dated check, a hold check, or an insufficient

funds check used as an evidence of indebtedness.

(2) A person who violates this section is guilty of:

~~(a)~~ a ~~misdemeanor~~ criminal offense under 23-5-156 and must be punished in accordance with 23-5-161; or 23-5-162

~~(b) a felony upon conviction of a third or subsequent offense and must be punished in accordance with 23-5-162~~.

(3) If any person is convicted of a criminal offense under this section and the offense occurred on a licensed premises, the department shall impose upon the licensee a 180-day license or permit suspension as provided in 23-5-136(1)(b)(iii)."

-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0541, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:
An act revising the law prohibiting credit gambling; requiring suspension of the license or permit for the gambling activity, device, or enterprise involved if credit gambling occurs on licensed premises and requiring revocation of the license or permit if not otherwise provided for; including offers to obtain and common schemes in the offense of obtaining anything of value by fraud or operation of an illegal gambling activity, device, or enterprise.

ASSUMPTIONS:
1. There is no change in the number of licensed gambling operations or devices or enterprises as a result of HB541.
2. There would be no change in income reported from gambling operations as a result of the passage of HB541.
3. The Department of Justice is currently responsible for conducting investigations into credit gambling and does not anticipate an increase in expenditures as a result of the passage of HB541.
4. The department projects that any impact on gambling revenues would be negligible.

FISCAL IMPACT:
There would be no fiscal impact to the state.

Dave Lewis 2.15.97

DAVE LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

X Duane Grimes 2/15/97

DUANE GRIMES, PRIMARY SPONSOR DATE

HB 540 INTRODUCED BY ORR, ET AL. *LC1209 DRAFTER: MACMASTER*

CLARIFY LAWS REQUIRING CRIMINALS TO PAY RESTITUTION TO THEIR VICTIMS

2/13	INTRODUCED		
2/13	FIRST READING		
2/13	REFERRED TO JUDICIARY		
2/18	HEARING		
2/21	COMMITTEE REPORT—BILL PASSED AS AMENDED		
2/24	2ND READING PASSED	100	0
2/26	3RD READING PASSED	100	0
	TRANSMITTED TO SENATE		
3/04	FIRST READING		
3/04	REFERRED TO JUDICIARY		
3/18	HEARING		
3/19	COMMITTEE REPORT—BILL CONCURRED		
3/22	2ND READING CONCURRED	49	0
3/24	3RD READING CONCURRED	49	1
	RETURNED TO HOUSE		
3/26	SIGNED BY SPEAKER		
3/27	SIGNED BY PRESIDENT		
3/28	TRANSMITTED TO GOVERNOR		
4/01	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 181		
	EFFECTIVE DATE: 10/01/97		

HB 541 INTRODUCED BY GRIMES *LC0475 DRAFTER: MACMASTER*

REVISE THE LAW PROHIBITING CREDIT GAMBLING

2/13	INTRODUCED		
2/13	FIRST READING		
2/13	REFERRED TO BUSINESS & LABOR		
2/13	FISCAL NOTE REQUESTED		
2/15	FISCAL NOTE RECEIVED		
2/15	FISCAL NOTE RECEIVED		
2/15	FISCAL NOTE PRINTED		
2/18	HEARING		
2/19	TABLED IN COMMITTEE		
2/21	TAKEN FROM COMMITTEE AND PLACED ON 2ND READING	62	35
2/25	2ND READING PASSED AS AMENDED	98	2
2/26	3RD READING PASSED	98	1
	TRANSMITTED TO SENATE		
3/04	FIRST READING		
3/04	REFERRED TO BUSINESS & INDUSTRY		
3/20	HEARING		
3/26	COMMITTEE REPORT—BILL CONCURRED		
4/04	2ND READING CONCURRED	49	0
4/05	3RD READING CONCURRED	50	0
	RETURNED TO HOUSE		
4/08	SIGNED BY SPEAKER		
4/10	SIGNED BY PRESIDENT		
4/10	TRANSMITTED TO GOVERNOR		
4/14	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 252		
	EFFECTIVE DATE: 10/01/97		

EXECUTIVE ACTION ON HB 513

Motion: **Rep. Krenzler** moved do pass HB 513.
{Tape: 1; Side: 1; Approx. Time Count: 12.1; Comments: None.}

Motion: **Rep. Krenzler** withdrew her motion.
{Tape: 1; Side: 1; Approx. Time Count: 14.1; Comments: None.}

HEARING ON HB 541

Opening Statement by Sponsor: **Rep. Grimes,** H.D. 39 introduced HB 541. **EXHIBIT 2.**
{Tape: 1; Side: 1; Approx. Time Count: 14.6; Comments: None.}

Proponents' Testimony:
Janet Jessup, Dept. of Justice, Gambling Division
{Tape: 1; Side: 1; Approx. Time Count: 22.8; Comments: None.}

Ellen Angstead, Don't Gamble with the Future. EXHIBIT 1.
{Tape: ~~1; Side~~: 1; Approx. Time Count: 26.3; Comments: None.}

Betty Waddell, MT Assn. of Churches
{Tape: 1; Side: 1; Approx. Time Count: 27.9; Comments: None.}

Louise Biggs, EXHIBIT 3.
{Tape: 1; Side: 1; Approx. Time Count: 29.0; Comments: None.}

Janice Conner, Hamilton, MT
{Tape: 1; Side: 1; Approx. Time Count: 36.0; Comments: None.}

Julie Ippilito, CAGE. EXHIBIT 4.
{Tape: 1; Side: 1; Approx. Time Count: 41.8; Comments: None.}

Ann Randash and Laurie Koutnik
{Tape: 1; Side: 1; Approx. Time Count: 45.; Comments: None.}

Opponents' Testimony:
Dennis Casey, Gaming Industry Assn.
{Tape: 1; Side: 2; Approx. Time Count: 3.1; Comments: None.}

Mark Staples, MT Tavern Assn.
{Tape: 2; Side: 1; Approx. Time Count: 9.9; Comments: None.}

Larry Akey, MT Coin Operated Machines
{Tape: 2; Side: 1; Approx. Time Count: 13.2; Comments: None.}

Jerry Driscoll, Tavern Owner
{Tape: 2; Side: 1; Approx. Time Count: 15.7; Comments: None.}

Questions From Committee Members and Responses:
{Tape: 2; Side: 1; Approx. Time Count: 17.7; Comments: None.}

Closing by Sponsor: **Rep. Grimes** closed.
{Tape: 1; Side: 2; Approx. Time Count: 45.0; Comments: None.}

HEARING ON HB 543

Opening Statement by Sponsor: **Rep. Schmidt,** H.D. 42 introduced HB 543. **EXHIBIT 8.**
{Tape: 2; Side: 1; Approx. Time Count: 2.; Comments: None.}

Proponents' Testimony:
Frank Crowley, attorney
{Tape: 2; Side: 1; Approx. Time Count: 8.0; Comments: None.}

Rep. Matt Brainard
{Tape: 2; Side: 1; Approx. Time Count: 12.4; Comments: None.}

Dick Anderson, Superior Auto Body
{Tape: 2; Side: 1; Approx. Time Count: 12.8; Comments: None.}

Mike Ortloff,Helena, MT EXHIBIT 5 AND 6.
{Tape: 2; Side: 1; Approx. Time Count: 13.2; Comments: None.}

Willis Orseck, Helena, MT
{Tape: 2; Side: 1; Approx. Time Count: 13.8; Comments: None

Larry Deschner, Auto, Inc.
{Tape: 2; Side: 1; Approx. Time Count: 14.9; Comments: None.}

Gary Landford, Three Way Auto Body
{Tape: 2; Side: 1; Approx. Time Count: 16.0; Comments: None.}

Ted's Body Shop, Great Falls, MT. EXHIBIT 7.
{Tape: 2; Side: 1; Approx. Time Count: 17.8; Comments: None.}

E. Scott Perry, auto worker
{Tape: 2; Side: 1; Approx. Time Count: 20.; Comments: None.}

Tom Edwards
{Tape: 2; Side: 1; Approx. Time Count: 20.7; Comments: None.}

Pinnacle Glass Owner, Don
{Tape: 2; Side: 1; Approx. Time Count: 21.; Comments: None.}

Ken Burgett, Auto Craft Collision and Repair
{Tape: 2; Side: 1; Approx. Time Count: 21.8; Comments: None.}

Darrel Nygaard, Gt Falls, MT
{Tape: 2; Side: 1; Approx. Time Count: 22.0; Comments: None.}

Lyle's Auto Body, Gt Falls, MT
{Tape: 2; Side: 1; Approx. Time Count: 22.2; Comments: None.}

DATE 2-18-97

House
SENATE COMMITTEE ON Business & Labor

BILLS BEING HEARD TODAY: _____

< ■ > PLEASE PRINT < ■ >

Name	Representing	Bill No.	Check One: Support	Oppose
Greg Van Horssen	State Farm Ins.	HB 543		
Greg Van Horssen	MHP	HB 545		X
ROGER McGLENN	IIAM	HB 543		X
RICKEY LINAFELTER	MONTANA LANDLORDS ASSN	HB 545		X
Steven Shapiro	MT Adv. Practice Nurses Assn.	HB 539	Y	
Katie Hyatt	Montana Tavern Assn	541		X
Patrick Sabonis	Comm. MT.	541	X	
Lenore Malonda	Dairy Mart	541	X	
ELLEN ENGSTADT	NGWTF	541	X	
BETTY WADDELL	MT ASSOC OF CHURCHES	541	X	
Michael L Fanning	DOJ	541		
Louise BIGGS		541	X	
GLENN BIGGS		541	X	
Jacqueline Lenmark	Am. Ins. Assn	543		X
Ron Ebzery		HB539		X

Yellowstone Com Health Plan

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

DATE 2-18-97

~~SENATE~~ HOUSE COMMITTEE ON Business & Labor

BILLS BEING HEARD TODAY: _____

< ■ > PLEASE PRINT < ■ >

Name	Representing	Bill No.	Check One: Support	Oppose
Derek Bickle	Mt People's Action	HB545	X	
Janine Williams	OASA Village	HB545		X
Anita Bennett	MLA Services	HB539		X
Laurie Koutnik	Christian Coalition of MT	HB541	✓	
Arlette Randash	Eagle Forum	HB541	✓	
Tom Townsend	MT Med Assn	539		—
Janet Jessup	Dept of Justice	HB541	X	
Rondi Carpenter	MT Housing Providers	HB545		X
Julie Ippolito	CAGE	HB541	X	
Jan Rehberg	Oakland Companies	HB545		X
LARRY AKEY	NAII	HB543		X
LARRY AKEY	MCMOA	HB541		X
Lee Heavilin	Farmers Ins.	HB543		X
FRANK COTE	St. Andrew	HB543 539	O	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

REGISTER.F10

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

BUSINESS AND LABOR COMMITTEE

DATE 2/19/97 BILL NO. HB 341 NUMBER

MOTION: Ewer moved to adopt HB 341 as amended amendments by Ewer 11-8

NAME	AYE	NO
Bruce Simon, Chairman	X	
Paul Sliter, Vice Chairman	X	
Bob Pavlovich, Vice Chairman		X
Joe Barnett	X	
Rod Bitney	X	
Sylvia Bookout		X
Charles Devaney		X
David Ewer	X	
Kim Gillan	X	
Billie Krenzler		X
Bob Lawson	X	
Rod Marshall	X	
Gay Ann Masolo		X
Wes Prouse	X	
Carolyn Squires		X
Jay Stovall	X	
Cliff Trexler	X	
Joe Troplia		X
Carley Tuss		X

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

BUSINESS AND LABOR COMMITTEE

DATE 2/19/97 BILL NO. 541 NUMBER

MOTION: Rep Ewer moves do pass SB 541 as amended

8-12

NAME	AYE	NO
Bruce Simon, Chairman	X	
Paul Sliter, Vice Chairman		X
Bob Pavlovich, Vice Chairman		X
Joe Barnett		X
Rod Bitney		X
Sylvia Bookout		X
Charles Devaney		X
David Ewer	X	
Kim Gillan	X	
Billie Krenzler		X
Bob Lawson	X	
Rod Marshall	X	
Gay Ann Masolo		X
Wes Prouse	X	
Carolyn Squires		X
Jay Stovall		X
Cliff Trexler	X	
Joe Troplia		X
Carley Tuss		X

Amendments to House Bill No. 541
First Reading Copy

Requested by Representative Ewer
For the Committee on Business and Labor

Prepared by Greg Petesch
February 18, 1997

1. Page 6, line 7.
Strike: "$300"
Insert: "$500"

2. Page 6, lines 10 and 11.
Following: "obtains" on line 10
Strike: remainder of line 10 through "45-2-101," on line 11

3. Page 6, line 12.
Strike: "$300"
Insert: "$500"

4. Page 6.
Following: line 13
Insert: "(3) A person who in an activity involving gambling offers or obtains money, property, or anything of value as part of a common scheme, as defined in 45-2-101, by misrepresentation, fraud, or the use of an illegal gambling device or an illegal gambling enterprise is guilty of a felony and is punishable as provided in 23-5-162."

5. Page 6, line 16.
Following: "**penalties**"
Insert: "-- **consent decree**"

6. Page 6, line 20.
Strike: "A"
Insert: "If a"

7. Page 6, line 22.
Following: "~~activity~~"
Insert: "is"
Following: "license"
Insert: "then it"

8. Page 6, line 27.
Following: "check"
Strike: ","
Insert: "or"
Following: "card"
Strike: remainder of line 27 through "indebtedness"
Insert: "held pending the outcome of a gambling activity"

9. Page 6, line 28.
Strike: "or gambling activity participant"

10. Page 6, line 29.
Strike: "or"

11. Page 6, line 30 through page 7, line 1.
Following: "including a"
Insert: "note, IOU,"
Following: "or"
Strike: remainder of line 30 through "an" on page 7, line 1
Insert: "other"
Following: "indebtedness"
Insert: "; or
(iv) a check issued or delivered that is accepted by the licensee with the knowledge that it will not be paid by the depository"

12. Page 7, line 7.
Following: "a"
Insert: "misdemeanor"

13. Page 7, line 10.
Insert: "(4) Prior to filing misdemeanor criminal charges, the department may serve a notice of alleged violation of this section on a licensee. A licensee may enter into a consent decree with the department in which the licensee voluntarily agrees to suspend gambling operations on the premises for 10 consecutive days. The consent decree is neither an admission or denial of the alleged violation. Upon compliance with the terms of the consent decree, the department shall drop all charges related to the alleged violation."

Motion/Vote: **Rep. Pavlovich** moved to Table HB 539. Motion carried reverse roll call vote 12-7.
{Tape: 1; Side: 2; Approx. Time Count: 7.0; Comments: None.}

EXECUTIVE ACTION ON HB 541

Motion: **Rep. Ewer** moved do pass HB 541.
{Tape: 1; Side: 2; Approx. Time Count: 8.3; Comments: None.}

Motion: **Rep. Ewer** moved to adopt Ewer amendments.
{Tape: 1; Side: 2; Approx. Time Count: 8.9; Comments: None.}

Discussion:
{Tape: 1; Side: 2; Approx. Time Count: 9.0; Comments: None.}

Vote: Motion to adopt amendments passed roll call 11-8.
{Tape: 1; Side: 2; Approx. Time Count: 20.; Comments: None.}

Motion/Vote: **Rep. Ewer** moved do pass HB 541 as amended. Motion failed 8-12.
{Tape: 1; Side: 2; Approx. Time Count: 21.6; Comments: None.}

Motion/Vote: **Rep. Pavlovich** moved to table HB 541. Motion passed reverse vote 12-8.
{Tape: 1; Side: 2; Approx. Time Count: 28.1; Comments: None.}

EXECUTIVE ACTION ON HB 543

Motion: **Rep. Stovall** moved do pass HB 543.
{Tape: 1; Side: 2; Approx. Time Count: 28.8; Comments: None.}

Motion/Vote: **Rep. Stovall** moved to adopt Stovall amendments.
{Tape: 1; Side: 2; Approx. Time Count: 29.1; Comments: None.}

Discussion:
{Tape: 2; Side: 1; Approx. Time Count: .0; Comments: None.}

Vote: Motion to adopt amendments carried unanimously.
{Tape: 2; Side: 1; Approx. Time Count: 1.0; Comments: None.}

Motion/Vote: **Rep. Stovall** moved do pass HB 543 as amended. Motion carried 16-1. **Reps. Tuss & Krenzler** absent and **Rep. Simon** voted no.
{Tape: 2; Side: 1; Approx. Time Count: 4.5; Comments: None.}

MINUTES

MONTANA SENATE
55th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS & INDUSTRY

Call to Order: By **CHAIRMAN JOHN HERTEL**, on March 20, 1997, at 9:00 A.M., in ROOM 410.

ROLL CALL

Members Present:
Sen. John R. Hertel, Chairman (R)
Sen. Steve Benedict, Vice Chairman (R)
Sen. Debbie Bowman Shea (D)
Sen. William S. Crismore (R)
Sen. C.A. Casey Emerson (R)
Sen. Bea McCarthy (D)

Members Excused: None

Members Absent: None

Staff Present: Bart Campbell, Legislative Services Division
Mary Gay Wells, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:
Hearing(s) & Date(s) Posted: HB 541; HB 543; 3/5/97
Executive Action: None

{Tape: 1; Side: A; Approx. Time Count: 9:18 AM; Comments: N/A.}

HEARING ON HB 541

Sponsor: **REP. DUANE GRIMES, HD 39, CLANCY**

Proponents: **Dennis Casey, Gaming Industry Association**
Janet Jessup, Department of Justice
Ellen Engstedt, Don't Gamble With The Future
Kati Kintli, Attorney, MT Tavern Assoc.
Janace Palmer, The Bitteroots
Verna Molinda, Darby
Julie Ippolito, Citizens Against Gambling Expansion
Arlette Randash, Eagle Forum

Opponents: **None**

Opening Statement by Sponsor:

REP. DUANE GRIMES, HD 39, CLANCY. I bring to you HB 541. I want to thank the MT Taverns Assoc. for their support of this bill. Under current law, the extension of credit for gambling is a misdemeanor. This bill would take the extension of credit for the purposes of gambling from a misdemeanor to a felony. We need to make it commensurate with the crime. You will see by the proponents' testimony that this extension of credit is having a massive impact on lives. There are, fortunately, only a few bad actors who are doing this extension of credit. But the effects are devastating.

Frequently with the one year misdemeanor, the problem was that the statute of limitations is out in one year. So often, when there is an extension of credit, people don't realize that something can be done about it until it is too late. Under a felony, the statute of limitations would be extended. This is one of the benefits of the bill. We also have occasions where credit is extended in areas that are not clearly established in current statute in various places. And there are various places around the state that county attorneys are not prosecuting the cases just because of the way our statutes work and how they are set up. This bill will straighten these things out. It will become a Title 45 felony offense.

In my original bill, there was a $300 threshold limit for extension of credit and above that amount it would be a felony. If there were any misdemeanors there also could be a 180 day suspension of license. The gambling groups, lobbyists and **REP. BOB PAVLOVICH** were concerned with this and this is out of the bill now. I felt we could live with this, so there is no license suspension in the case of a misdemeanor. This does not interfere with normal check cashing activity. The bill also does provide some self-help actions for the victims. Thank you for your attention.

Proponents' Testimony:

Dennis Casey, Gaming Industry Association. I would like to compliment the sponsor for his willingness to work with us and others in the industry to come up with a bill that we think is now very good. One of the important things for those of us in the industry and also for the regulators is the definition of credit gambling which appears on page 6 and 7. It would be our intent to work with the gambling control division and separately to make that information available to all those who have gambling operations. In the past, there has been some misunderstanding as to what credit gambling is. This clearly defines it and we like the definition very much. Secondly, as **REP. GRIMES** has told you, the dollar amount of which a felony charge kicks in is $750. It does raise the level from what it was. It will get county attorneys' attention at that level. One concern we've had is that the person who allows for the credit gambling is the one who

will be prosecuted if necessary. If an employee extends this credit, they will be the one held responsible--not the owner. We are in support of this and hope you pass it.

Janet Jessup, Administrator, Gambling Control Division, Dept. of Justice. I will give my testimony and hand in a written copy **(EXHIBIT 1)**. Thank you.

Ellen Engsted, Don't Gamble With The Future. We support HB 541. I will give my testimony and hand in a written copy **(EXHIBIT 2)**. Thank you.

Kati Kintli, Attorney, MT Tavern Association. The Tavern Association has always opposed credit gambling and it has always supported reasonable steps for its elimination. We did have concerns with this bill as introduced; however, we were able to address these concerns with the sponsor. We greatly appreciate the opportunity to do so. We appreciated the opportunity to participate in the shaping of what this bill has become today. This bill contains reasonable penalties on credit gambling that are imposed on those who participate in this illegal activity. The MTA supports this bill and asks that you do as well. Thank you.

Janace Palmer, Bitterroot. My husband is a gambler. We had a moderately successful log home business. Through our business we met some people who wanted to build a restaurant out of logs. They then got a liquor and gaming license. First he started going in at lunch and then at coffee breaks. After business, it started with one or two dollars in keno or poker machines. Then it went to $10 and $20. It rapidly escalated to over $100 or more a day. The games became a priority to him. He lied, cheated and was never home. He wrote one bad check after another. He thought he had found a friend in his favorite establishment. They took bad checks and let him run a tab. They would give him free drinks to keep him there. The gentle seduction of the clink of coins became as necessary to my husband as the air he breathed. And that is no exaggeration. We never saw him. We would go two or three weeks and not see him at all. I worked for this establishment and found out exactly how much credit gambling goes on and how common a practice it is. There are many ways that credit gambling goes on. In Lincoln, MT there are approximately 300 people. They had almost $1 million go through in tax casino money last year. And tourist industry is even down.

I watched my husband go from a respected businessman to just another barroom personality. We had to close checking accounts and I had to take out the loans myself for the business. His credit history was no longer any good. He borrowed from family and friends. We had to sell everything we had cared for. I finally learned that there were ways to try and combat this kind of thing. But I found this out far too late. We need to make credit gambling a felony. A misdemeanor does nothing to stop

this practice. This bill is so important to us out here. Addiction to gambling is as bad as any other kind of addiction. There are many people who are in the same position as I. I really hope that you pass this bill. Thank you for your attention.

Verna Molinda, Darby. My son-in-law is addicted to gambling. I had watched and sympathized with my daughter's situation. I saw him turn from a nurturing, loving father and husband into a person that I hardly could recognize anymore. He alienated his son by his first marriage by stopping child support. When he ran out of money, some places would let him charge or run up tabs. I was not aware of the fact that this practice was illegal. Their small business went downhill fast as all the profits were going toward gambling. He would bounce checks and did so as long as the bank would work with him. He felt the only friends he had left were those who would give him credit to gamble. Finally, I encouraged my daughter to get in touch with the gambling regulatory board. I was astounded to learn that although these people had extended a line of credit of thousands of dollars to this man, it was only a misdemeanor offense. This establishment is one of the few in our area that abuse the system. This bill would put some teeth in the law and make those who engage in credit gambling think again. It will really help our families. I urge you to pass this bill. Thank you.

Julie Ippolito, Citizens Against Gambling Expansion. We stand in support of HB 541. Access to the addiction is playing a central role in the addictive behavior. There does exist in this legislature an obvious concern for the compulsive gambler as exemplified by SB 208 regarding treatment for the pathological gambler. On more than one occasion, the House Business & Labor Committee debated similar idealogies with **REP. EWER'S** ATM bill. Specifically that is removing easy access to one's funds. This bill, however, is perhaps less conflicting in that it already exists as a law. It is simply unenforceable as it stands. Misdemeanors have little to no consequences in today's crowded court systems. We need to be absolutely clear that assisting the compulsive gambler in his addiction is a felony carrying severe consequences. Too often the spouses of compulsive gamblers dash to the bank to withdraw the paycheck money to discover that it has already disappeared immediately upon deposit, due to the check that was held by some casino owner. We have to protect these families. These are illegal practices that must bear stiffer consequences if we wish to deter this practice. And there are many victims out there. I have seen them in my practice, my friends and even my own family. We need to do everything possible to help everyone concerned. Please vote yes on HB 541.

Arlette Randash, Eagle Forum. Laurie Koutnik, Christian Coalition, asked me to say for them as well as for us that we are in favor of this bill. The proponents have spoken eloquently to the issue. Please support the bill.

Opponents' Testimony: None

Questions From Committee Members and Responses:

SEN. CASEY EMERSON asked what happens when a person comes in and cashes a check for money and then it bounces. How is that handled? **Ms. Jessup** replied that is what we call non-sufficient funds check and that is not impacted by this bill. If the person accepting the check is not aware that the check is going to bounce there is not problem. If they are aware that the check is going to bounce, then under this bill it could be considered credit gambling. **SEN. EMERSON** said that then maybe the second or third one that came in would trigger this action in this bill. **Ms. Jessup** said that it is possible. We had to look at the specific facts in that particular case. Obviously, if it happens in a very short period of time, the person receiving the check should have gotten the idea that there are insufficient funds. **SEN. EMERSON** said that the people working who take these checks, they are the ones who will be charged rather than the owner if the owner doesn't know about it. **Ms. Jessup** said that if there is no evidence that the boss or manager is unaware of this and did not condone such practices, then they could not prove intent in a criminal case.

Closing by Sponsor:

REP. GRIMES closed. The bill has been substantially reworked in the areas that **SEN. EMERSON** mentioned. Everything has been gone through with a fine tooth comb in order to get it out. I would encourage a favorable consideration. I want to thank the proponents who got up very early in the morning to drive to Helena to testify. They were a terrific help in explaining the problems. Thank you.

{Tape: 1; Side: A; Approx. Time Count: 10:01 AM; Comments: N/A.}

HEARING ON HB 543

Sponsor: REP. TRUDI SCHMIDT, HD 42, GREAT FALLS

Proponents: REP. MATT BRAINARD, HD 62, MISSOULA
Frank Crowley, Helena Attorney
Jerry Langford, 3-Way Auto Body, Great Falls
Charles Brooks, MT Collision Repair Specialists
Jack Greg, MCRS
Dick Anderson, Superior Auto Body, Great Falls
Diana Anderson, Superior Auto Body, Great Falls
Lloyd Taylor, Procraft Carstar, Great Falls
Tom Daubert, Great Falls Collision Assoc.
Gary Harris, Auto Body Specialist
Ted Mumm, Ted's Body Shop, Great Falls
Todd Litton, American Auto Body, Billings
Jay Nelson, Dillon Collision Center

SENATE BUSINESS & INDUSTRY
EXHIBIT NO. 1
DATE 3-20-97
BILL NO. HB 541

STATE OF MONTANA

DEPARTMENT OF JUSTICE

GAMBLING CONTROL DIVISION

Joseph P. Mazurek
Attorney General

2550 Prospect Avenue
PO Box 201424
Helena, MT 59620-1424
Tel. (406) 444-1971

Senate Business & Industry Committee
HB 541
Testimony of Janet Jessup
Administrator, Gambling Control Division
Department of Justice

The Department of Justice strongly supports Representative Grimes' bill to strengthen sanctions for credit gambling. Before explaining why we believe this bill is necessary, I would like to make it clear that neither my statement nor the Department's support of this bill should be construed as an indictment of the conduct of gambling industry as a whole. In addressing the problems caused by a small number of individuals, we are not pointing a finger at the entire industry. Indeed, I would like to point out that the gambling industry's awareness and concern over the potential for such violations were evident by the industry's recent and strong support of strict controls over the "holding" of checks cashed at licensed establishments.

Unfortunately, there are some who are willing to break the law, a law that has been on the books for many years. Currently we have approximately 13 active cases of credit gambling under investigation. Since we have maintained records, we have recorded 178 cases involving this offense.

The current statute leaves us with several problems with regards to investigation and prosecution of credit gambling. This is a property crime, and, given the workload of County prosecutors, property crimes that are misdemeanors will always take a "back seat" to crimes perpetrated on persons. Under current law, credit gambling becomes a felony only on the third conviction -- no matter how much money is involved. Frequently these cases are only brought to us after some period of time has elapsed. Since the statute of limitations for misdemeanors is one year, many cases can no longer be addressed in the courts.

The crime is not victimless, but the victim is also guilty of the crime -- much like a drug transaction. Therefore, the victims are less likely to come forward to bring us evidence so that the case can be prosecuted. Victims are also humiliated by the situation in which they find themselves, and they are unwilling to come forward publicly. Most cases are brought to us by family members; unfortunately, when the victim cannot or will not cooperate, it is difficult to find sufficient evidence for prosecution.

As a result of these problems, we have not been able to bring most of the reported cases to a conclusion. This bill will make it clear that there are serious sanctions for credit gambling and it will put some "teeth" into the law. It will provide for different sanctions depending on the seriousness of the crime, something not currently possible. It will send a clear signal to those that are willing to break the laws that there are serious consequences for doing so. For these reasons, we urge your support of HB 541.

SENATE BUSINESS & INDUSTRY
EXHIBIT NO. 2
DATE 3-20-97
BILL NO. HB 541

SENATE BUSINESS AND INDUSTRY - HB 541 - MARCH 20, 1997

Mr. Chairman and Members of the Committee:

For the record, my name is Ellen Engstedt and I represent Don't Gamble With The Future, a statewide, grassroots organization opposed to increased gambling and in favor of strict regulation of the currently legal gambling. Our membership is comprised of small business owners and their families.

We support HB 541. During testimony on the bill banning of ATMs in casinos, and in the House hearing on this bill, the point made by those who have developed a gambling addiction is that readily available cash or credit is devastating to a gambler with a problem.

Statute currently defines terms of illegal gambling devices or activities as well as illegal gambling enterprises, but credit gambling has not been defined. Section 3 of HB 541 specifically states that it is **cash** that must be used for gambling purposes but spells out that checks or credit cards can be used to obtain that cash. However, any form of deferred payment including notes, IOUs, post dated checks, or holding of checks constitutes credit gambling and is therefore illegal.

Encouraging those who have a gambling problem by providing "a tab" in a casino and thus extending the means for the individual and his/her family to spiral into debt from which they may never recover should be punishable under criminal statutes. It is currently a misdemeanor penalty.

HB 541 would provide a tool for the regulators and law enforcement to help stop a practice that has succeeded in furthering the addiction of those people who have developed a gambling problem and who have been encouraged in their addiction by easier access to cash through the use of credit.

Thank you for your time and your support of HB 541.

MONTANA SENATE
1997 LEGISLATURE
BUSINESS AND INDUSTRY COMMITTEE

ROLL CALL DATE 3-20-97

NAME	PRESENT	ABSENT	EXCUSED
WILLIAM CRISMORE	X		
CASEY EMERSON	X		
BEA MC CARTHY	X		
DEBBIE SHEA	X		
STEVE BENEDICT, VICE CHAIRMAN	X		
JOHN HERTEL, CHAIRMAN	X		

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DATE 3-20-97

SENATE COMMITTEE ON Bus & Ind.

BILLS BEING HEARD TODAY: HB 541

HB 543

< ■ > PLEASE PRINT < ■ >

Check One

Name	Representing	Bill No.	Support	Oppose
Bill Smith	Wyo Pet. Ind.		✓	
Dennis Casey	Gam. Ind. Ass.	541	~	
Rich E Miller	GIA/Best Bet Casino	541	✓	
Gary D. Harris	Auto Body Spec.	543		
Roberta Miller	Montana Auto Dismantlers & Recyclers	543	✓	
Ken Burgett	Auto Craft Collision	543	✓	
Hess W. Babel	Hank's Body Shop	543	✓	
Donna Fastenau	Hank's Body Shop	543	✓	
Matt M. Donnell	Big Sky Collision Center	543		
Steve Hess	Harris Body	543	✓	
Willis Wonsech	Main Auto Body	543	✓	
Carol Wonsech	Main Auto Body	543	✓	
Roger McGlenn	DIAM	543		✓
Robert Jones	Haggerty	543	✓	
Lloyd Taylor	Prockart Carstar	543	✓	
MIKE CONNELL	CONNELL AUTO CENTER	543	✓	
Jack Gregg	Montana Collision Repair Specialists	543	✓	
Todd Litten	American Auto Body	543	✓	
JACQUELYN AYERS	Golden Nugget Body & Paint	543	✓	
Jay Nelson	Dillon Collision Center	543	✓	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

DATE 3-20-97

SENATE COMMITTEE ON Bus & Ind.

BILLS BEING HEARD TODAY: HB 541
HB 543

< ■ > **PLEASE PRINT** < ■ >

Name	Representing	Bill No.	Check One: Support	Check One: Oppose
Janet Jessup	DOJ	541	✓	
JULIE IPPOLITO	CAGE	541	✓	
Kati Kintli	Montana Tavern Assn	541	✓	
WARD SHANAHAN	FARMERS INSURANCE	543		✓
Terrance Palmer	self	541	✓	
Wilma McLendon	self	541	✓	
Terry Hunt	Farmers Insurance	543		✓
Greg Van Horssen	State Farm Ins. Co	543		✓
Jacqueline Lenmark	Am. Ins. Assn.	543		✓
Larry Akey	Nat'l Assn. Indep. Insurers	545		✓
Dwight Easton	Farmers Ins Group	543		—
Charles R. Brooks	MT. Collision Repair	543	✓	
Arlette Randash	EAGLE forum	541	✓	
Laurie Koutnik	Christian Coalition	541	✓	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

REGISTER.F10

{Tape: 1; Side: B; Approx. Time Count: 10:01 AM; Comments: A 10 MINUTE BREAK WAS TAKEN.}

EXECUTIVE ACTION ON HB 543

Motion: SEN. DEBBIE SHEA MOVED HB 543 BE CONCURRED IN.

Discussion: Two different sets of amendments were discussed. One set was submitted from **Mr. Brooks**, the Montana Collision Repair Specialists **(EXHIBIT 4) hb054301.abc.** Their position is still the same: they oppose the bill if the amendments are not included. The second set was prepared by **GREG VAN HORSSEN (EXHIBIT 5) hb054302.abc. SEN. BENEDICT** asked which legislator asked for these amendments. **Mr. Campbell** said no legislator. **REP. SCHMIDT** had provided a letter responding to these amendments and she said that in practice these amendments strengthen the bill. The timing of the amendments coming in so late in the process is awkward. **SEN. BENEDICT** stated that since these amendments were not requested by a legislator, the amendments should not be considered. He would like to see the bill move forward without consideration of the amendments **(Exhibit 4)**. Maybe the committee should look at the State Farm amendments and wait a couple of years for further refining. He had spoken with **Mr. Campbell** concerning this set of amendments and were put together at his request.

Amendments: SEN. BENEDICT MOVED TO AMEND HB 388 (EXHIBIT 5) hb054302.abc.

Vote on Amendments: THE MOTION FAILED with SENATORS SHEA, MCCARTHY AND CRISMORE voting NO: 3-3

Substitute Motion/Vote: SEN. BENEDICT MOVED TO TABLE HB 543. THE MOTION FAILED with SENATORS MCCARTHY, SHEA AND CRISMORE voting NO: 3-3

Vote: THE MOTION THAT HB 543 BE CONCURRED IN CARRIED with SENATORS EMERSON AND HERTEL voting NO: 4-2

{Tape: 1; Side: B; Approx. Time Count: 10:21 AM; Comments: N/A.}

EXECUTIVE ACTION ON HB 541

Motion/Vote: SEN. WILLIAM CRISMORE MOVED HB 541 BE CONCURRED IN. THE MOTION CARRIED UNANIMOUSLY: 6-0 SEN. CRISMORE WILL CARRY.

MONTANA SENATE
1997 LEGISLATURE
BUSINESS AND INDUSTRY COMMITTEE

ROLL CALL DATE 3-25-97

NAME	PRESENT	ABSENT	EXCUSED
WILLIAM CRISMORE	X		
CASEY EMERSON	X		
BEA MC CARTHY	X		
DEBBIE SHEA	X		
STEVE BENEDICT, VICE CHAIRMAN	X		
JOHN HERTEL, CHAIRMAN	X		

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SENATE STANDING COMMITTEE REPORT

March 25, 1997

MR. PRESIDENT:

We, your committee on Business and Industry having had under consideration House Bill 541 (third reading copy -- blue), respectfully report that House Bill 541 be concurred in.

Signed: John Hertel
Senator John R. Hertel, Chair

Amd. Coord.
Sec. of Senate

Sen. ~~Thomas~~ Crismore
Senator Carrying Bill

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